



TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY

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Part III—Section 2

Notifications or Orders of interest to a Section of the public
issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

JUDICIAL NOTIFICATIONS

Amendments to the Madras High Court Service Rules, 2015.

(Roc. No. 12674/2020/B2/RAC.)

No.SRO C-17(a)/2021.

In exercise of the powers conferred by Articles 229(1) and (2) of the Constitution of India read with Rule 28(b) of the Madras High Court Service Rules, 2015 and of all other powers connected thereto, the Hon'ble The Chief Justice is pleased to make the following amendments to the Madras High Court Service Rules, 2015.

AMENDMENT-I

In the Madras High Court Service Rules, 2015, after all the entries in Rule 14B, the following entries shall be added:

"The merit and ability mentioned in this Rule, shall be assessed as envisaged in Annexure-B to these Rules."

AMENDMENT-II

In the Madras High Court Service Rules, 2015, the word 'Annexure' occurring in third proviso to Rule 26 and after the entries in Rule 32, shall be substituted by the word 'Annexure-A'.

AMENDMENT-III

In the Madras High Court Service Rules, 2015, after all the entries made under 'Annexure-A', the following entries shall be added as 'Annexure-B'.

ANNEXURE-B

(See Rule 14B)

The 'merit and ability' of the eligible candidates for promotion to and within the posts in Division-I, from the respective feeder categories, shall be assessed

- (i) by considering the Service Record (other than leave) and
- (ii) by considering the leave record

as stated below:

Sl. No.	Assessment	Maximum Marks	Minimum Qualifying Marks
1	Service Record (other than leave)	50	25
2	Leave Record	50	25

1. Procedure for Selection Process for Promotion :

(i) By the 10th day of January of every year, in all the posts in Division-I, the Registry shall arrive at the list of existing and future vacancies that may arise during the period from the First April of that year to the 31st March of the Succeeding year.

(ii) By the 20th day of January of every year, the Registry shall call for willingness from the eligible staff members in the feeder categories for promotion to the posts in Category-6 (Sub Assistant Registrar), Category-6B (Sub Assistant Registrar (Insolvents, Accounts)) and Category-6C (Librarian) in the ratio of 1:3, i.e. three staff members in the order of seniority for each vacancy. Unwillingness of any candidate to appear for selection process shall be treated as relinquishment - either temporary or permanent, in terms of Rule 30.

(iii) The Registry shall ensure that the staff willing to participate in the selection process, sans unwilling candidates, shall not be less than 1:3 against the number of vacancies in the posts in Categories 6, 6B and 6C of Division-I, by calling for willingness from the eligible left over candidates, if need be. Non-availability of the candidates in the above ratio will not result in postponement of selection process.

(iv) The Registry shall call for willingness from the eligible officers for promotion to next higher level in the ratio of 1:3 against the number of vacancies in the promotional post, within the time schedule as specified under clause-1(ii) above

(v) The entire promotion process for all the existing and arising vacancies in all the categories in Division-I shall be completed by 3rd week of March of every year.

(vi) Where the Registry is not in a position, due to unavoidable circumstances, to keep up the above time schedule, the Chief Justice, as he thinks fit, may re-schedule the promotion process.

2. Service Record :

(i) The Registrar General shall record the Performance Record, for all the Officers and Staff, for each calendar year ending 31st December, for which he may obtain the performance report from the Registrars concerned, in the format noted below:

(To be recorded against each item either as 'Excellent' OR 'Very Good' OR 'Good' OR 'Satisfactory' OR 'Average' OR 'Need to improve' OR 'Poor'.)

ANNUAL CONFIDENTIAL REPORT FORMAT

Name of the Officer/Staff -
Designation -
Post Held -
Period -

1	Knowledge of Law and Procedure and knowledge in his/her branch	
2	Communication skills	
3	Aptitude for hard work	
4	Aptitude to attend work even during holidays and odd hours	
5	Readiness to take up responsibility	
6	Supervision and control of Subordinates	
7	Attitude towards Superiors	
8	Attitude towards Colleagues	
9	Attitude towards Subordinates	
10	Reputation as to honesty & integrity	

Each remark recorded shall be counted in terms of marks as follows:

Excellent	05 marks
Very Good	04 marks
Good	3.5 marks
Satisfactory	2.5 marks
Average	1.0 mark
Need to Improve	0.5 mark
Poor	0 mark

(ii) All the recordings in the Annual Confidential Record shall be communicated to the respective Officer / Staff by the 15th day of February of every calendar year, for his self appraisal and/or improvement. The Officer/ Staff, if aggrieved by any such recordings, can submit a representation in this regard, if any, within three days from the date of receipt of such recordings. The representations, if any received, shall be considered by the Registrar General and the decision taken thereon shall be communicated to the respective Officer / staff, in any event, not later than 1st day of March of the same calendar year. No further representation for review from the Officer/Staff on such decision taken by the Registrar General shall be entertained.

(iii) For consideration to promotion, the average marks secured by the candidate in the preceding five years shall be taken into consideration. Where the Performance Record is not available for the preceding five years, the Promotion Committee may take into consideration the available Performance Record.

3. Leave Record :

Various kinds of leave, availed by the Officers and Staff shall be considered for every calendar year and marks shall be awarded year wise as noted below:

No of days of leave availed		Marks
Leave not availed	=	10
1 to 10 days	=	08
11 to 15 days	=	07
16 to 20 days	=	05
21 to 25 days	=	04
26 to 30 days	=	03
30 to 35 days	=	01
Above 35 days	=	0

However, while calculating the period of leave availed in a calendar year, the leave availed on the following grounds shall be excluded.

(i) Casual Leave as per applicable Rules, Duly certified Compensatory Leave as per applicable Rules, eligible Restricted Holidays and Special Casual Leave as per Rules.

(ii) Any Leave on Medical grounds subject to production of sufficient medical records and subject to satisfaction of Promotion Committee. Where the duration of such Leave on medical grounds exceeds 5 days, though the Leave Sanctioning Authority has sanctioned the said leave, the production of the medical certificate/prescription sheet/admission/discharge summary/ investigation reports is sine quo non. The Registry shall maintain the Records relating to Leave on Medical grounds of the Officer/Staff along with the application for leave.

(iii) Maternity Leave, as per Rules.

(iv) Maternity Leave for abortion, as per Rules

For consideration for promotion, the marks secured by the candidate based on the leave records in the preceding five years, shall be taken into consideration.

4. Selection:

The Promotion Committee shall finalize the list of candidates for promotion from the qualified candidates after assessment of the above three factors. The necessary orders for promotion shall be issued by the Registrar General.

Explanation:

(i) The marks secured by the candidates at all stages in the above method of selection, shall be only qualifying in nature and be used only for the purpose of assessing the eligibility of the candidates and empaneling them for promotion.

(ii) The inter-se seniority among the persons found suitable for promotion in the above selection process, shall be only with reference to the inter-se seniority of such persons in the feeder category post and also by following the principle of interpolation in respect of promotion to categories-6, 6B and 6C of division-1, where ratios are contemplated for promotion to such categories from two or more lower categories.

(iii) If at any given point of time, no candidate is found eligible to be promoted to any post/s, after the entire selection process, to any post, the Chief Justice may, as he thinks fit, reduce the minimum qualifying marks.

5. Inherent powers of the Chief Justice:

Notwithstanding anything contained in this Annexure-B, the Chief Justice, may, in his discretion, direct written test to be conducted to assess the merit and ability and pass any other order as administrative exigency may warrant.

The above amendments shall come into force with effect from 21.06.2021.

High Court, Madras,
28th June 2021.

P. DHANABAL,
Registrar General.